Express Mail Label Nr. EI465234972US Atty. Docket No. 30585/9

DECLARATION AND POWER OF ATTORNEY

Each one of us, <u>John S. Yates, Jr.</u>, <u>David L. Reese</u>, and <u>Paul H. Hohensee</u>, hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name;

I verily believe that we are the original, first, and joint inventors of the invention entitled PROFILING PROGRAM EXECUTION TO IDENTIFY FREQUENTLY-EXECUTED PORTIONS AND TO ASSIST BINARY TRANSLATION, which is described and claimed in the attached specification;

I acknowledge my duty to disclose information that is material to the examination of the application in accordance with 37 C.F.R. § 1.56(a) and acknowledge the duty to disclose material information as defined in 37 C.F.R. § 1.56(a) that occurred between the filing date(s) of our earlier filed U.S. parent application(s) listed below, and the filing date of this continuation-in-part application;

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

This application discloses and claims subject matter disclosed in our earlier filed pending applications Serial No. 09/322,443 filed May 28, 1999, and 09/239,194, filed January 28, 1999.

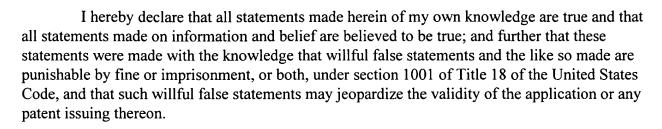
POWER OF ATTORNEY: I hereby appoint the following attorneys to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

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